

MorrisonCohen_{LLP}

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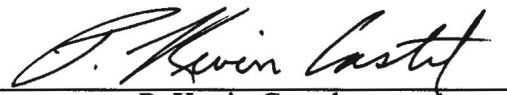
October 17, 2022

VIA NYSCEF

Hon. P. Kevin Castel
United States District Judge
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Application is provisionally GRANTED.
SO ORDERED.

Dated: 10/18/2022


P. Kevin Castel
United States District Judge

Re: Request to File Redacted Exhibits
*Jane Doe v. Yeshiva University, Andrew “Avi” Lauer, Esq., Chaim Nissel,
Seyfarth Shaw, LLP, Dov Kesselman, Esq. and Emily Miller, Esq.,*
No. 1:22-cv-05405-PKC-KHP

Dear Judge Castel:

Pursuant to Section 5.B of the Court’s Individual Practices, we write on behalf of Defendants Yeshiva University, Andrew “Avi” Lauer, and Chaim Nissel (the “Yeshiva Defendants”) to request permission to file redacted copies of the exhibits to the Declaration of Chaim Nissel in Support of the Yeshiva Defendants’ Motion to dismiss. The initial conference before this Court was previously scheduled for October 24, 2022, but that date was vacated pursuant to the Court’s Order granting the Defendants’ letter motion to adjourn the Conference (Dkt. No. 36).

Pursuant to the Yeshiva Defendants’ proposed briefing schedule, which was approved by the Court on October 4, 2022 (Dkt. Nos. 35 and 36), the Yeshiva Defendants will be filing their Motion to Dismiss the Amended Complaint today, October 17, 2022. The Declaration in Support of the Motion annexes as exhibits documents referenced by the Plaintiff in her Amended Complaint which contain the real names of Plaintiff and the student she has accused of sexually assaulting her, named in the Amended Complaint only as “Perry Doe.” Yeshiva has an obligation under, among other things, the Family Educational Rights and Privacy Act (“FERPA”) to protect confidential information related to its students, including information related to their involvement in an alleged sexual assault complaint. Because this Court provisionally granted Plaintiff’s Motion to Proceed Under a Pseudonym pending the parties’ full briefing in the matter (Dkt. No. 18), and because, appropriately, Perry Doe has not been named in the Amended Complaint, the Yeshiva Defendants wish to file redacted versions of the Exhibits in order to protect Plaintiff and Perry’s anonymity.

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Enclosed hereto are redacted versions of the proposed exhibits. If the Court would like to see the un-redacted versions, the Yeshiva Defendants request leave to file the un-redacted versions on paper. The Yeshiva Defendants reserve their right to withdraw the Exhibits if the Court does not approve the filing of the redacted versions.

Respectfully submitted

A handwritten signature in black ink, appearing to read "Danielle C. Lesser", written in a cursive style.

Danielle C. Lesser

cc: All Counsel of Record (via ECF)